



U.S. Customs and
Border Protection

September 17, 2019

VIA electronic mail through FOIAonline: 8645-08989885@requests.muckrock.com

Mr. Michael Morisy
MuckRock News
DEPT MR 8645 411A Highland Ave
Somerville, MA 02144

Subject: Freedom of Information Act (FOIA) Request No. **CBP-2019-081702**

Dear Mr. Morisy,

This is the final response to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP), submitted on September 3, 2019, requesting a copy of the software used to train Predator Drone pilots, including any compiled binaries, source code for the training software, and the contract under which this software was developed.

After careful review of your request, CBP has determined that should any records exist they would be withheld in full pursuant to Title 5 U.S.C. §552 (b)(7)(E) as described below.

FOIA Exemption 7(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. CBP determined that disclosure could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures are not well known to the public.

This completes the CBP response to your request. You may contact CBP's FOIA Public Liaison, Charlyse Hoskins, by sending an email via your FOIAonline account, mailing a letter to 90 K St, NE MS 1181, Washington DC, 20229 or by calling 202-325-0150. The FOIA Public Liaison is able to assist in advising on the requirements for submitting a request, assist with narrowing the scope of a request, assist in reducing delays by advising the requester on the type of records to request, suggesting agency offices that may have responsive records and receive questions or concerns about the agency's FOIA process.

If you are not satisfied with the response to this request, you have a right to appeal the final disposition. Should you wish to do so, you must file your appeal within 90 days of

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the date of this letter following the procedures outlined in the DHS regulations at Title 6 C.F.R. §5.9. Please include as much information as possible to help us understand the grounds for your appeal. You should submit your appeal via FOIAonline by clicking on the "Create Appeal" button that appears when you view your initial request. If you do not have computer access, you may send your appeal and a copy of this letter to: FOIA Appeals, Policy and Litigation Branch, U.S. Customs and Border Protection, 90 K Street, NE, 10th Floor, Washington, DC 20229-1177. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS), which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769

If you need to contact our office again about this matter, please refer to CBP-2019-081702.

Sincerely,



Jennifer R Davis
Government Information Specialist, Team Lead/SME
FOIA Division, U.S. Customs and Border Protection
Privacy and Diversity Office